IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 12233 of 2004(F)

PETITIONER:

ABDUL SALAM, AGED 50 YEAR5S,
S/O. MOIDU MUSALIAR, THARAYIL HOUSE, EDAKKARA P.O.
CHAVAKKAD TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:
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1. KODUNGALLUR MUNICIPALITY, REPRESENTED
BY ITS SECRETARY, KODUNGALLUR MUNICIPALITY OFFICE,
KODUNGALLUR.

2. MUHAMMED ALI, AGED 75 YEARS,
S/O. HYDROS, PADIYATH HOUSE, KODUNGALLUR TALUK

BY ADV. SRI.S.VIJAYAKUMAR
SRI.K.J.MOHAMMED ANZAR --- R2
SRI. M.N.S NAYAR – R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 12233/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LEASE DEED DT. 1/7/03 BETWEEN THE PETITIONER AND THE R2.

EXT.P2. COPY OF THE NOTICE OF THE ISSUED BY THE R1 TO THE R2 DT. 24/11/2003.

EXT.P3. COPY OF THE COMMISSIONER'S REPORT DT. 22/1/2004.

RESPONDENT'S EXHIBITS

EXT.R2A. COPY OF THE LETTER DT. 20/2/2004 BY MOHAMMED ALI.

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 12233 OF 2004

Dated this the 5th day of July, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances on the action of the first respondent in not considering the application for licence on the ground that landlord has not given consent. The issue is covered in favour of the petitioner by the decision reported in ***Marimuthu vs. Director General of Police*** (1999(3) KLT 662).

2. There will be a direction to the first respondent to take appropriate action in the light of the above decision, within four months from the date of receipt of a copy of this judgment. Interim order passed by this Court will continue till such time.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp